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Naresh Vig
United States Patent and Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Re: Response to Office Action on Application No. 09/776,498 dated 4/15/04

June 3, 2004

Dear Mr. Vig,

Enclosed are responses to your Office Action mailed 4/15/04 for the Application No. 09/776,498. In addition to this cover letter, please see the attached Amended Application, including claims.

There seems to be confusion about how the claims describe the invention disclosed in the specification. The present invention is both a refinement on (1) established network-based email and communications systems and (2) a rights management system that functions as a "gatekeeper".

In essence, 5 significant novel and patentable aspects of the present invention are:

- (1) The present invention requires a threshold cost, fee or transfer of benefits from the Caller Party to the Receiver Party for the right to transfer communication to an account associated with the Receiver Party such that the threshold cost acts as a "gatekeeper" and the payment represents compensation for transfer of access rights;
- (2) The Receiver Party may establish unique terms of a legal and binding agreement, including price, upon which the Caller Party may accept in order to access the Receiver Party;
- (3) The Receiver Party is benefited and compensated for granting rights of access and for receiving communication that is addressed to an account associated with his name;
- (4) A Merchant Intermediary uses third party and objective parties to authenticate the identity and background of the person claiming a designation as a Receiver Party; and
- (5) Disclosed method allows Receiver Parties to offer and price different communication services and agreements in addition to granting for a threshold benefit the right for a Caller Party to transmit communication to their account.

Although the present invention has other novel and patentable aspects and qualities, it seemed to me that these significant novel and patentable aspects of the present invention were not sufficiently recognized.

I would also like to state that this invention was developed before it was filed in February 2001. I think that in points of controversy there may be questions of whether this invention was developed prior to some of the relevant examples dated 2000 onward that have been set forth in your office action. But I do not have enough specific information about what part of the references you considered for me to know precisely the date of your references. Please clarify for me the dates of your references and the patent number that you refer to because, for example, Keen.com has several patents of different dates.

I would also like to state that at the time of filing, I was unaware of the references and information that you have provided in your office action letter of April 15, 2004. However, I do not think that the information that you have provided discloses or anticipates the present invention.

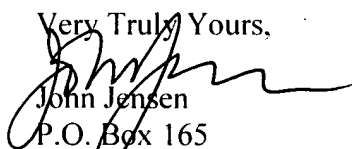
I think that the Keen.com material does **not** disclose or anticipate the present invention.

However, I request that you and the PTO extend all possible administrative avenues, amendment possibilities, or other means of extending time and allowing opportunities to favorably resolve these concerns.

I request the opportunity to provide additional information or amendments in order to address these or future concerns.

Thank you for your consideration.

Very Truly Yours,



John Jensen
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310-567-0022 and 213-383-4380.